

JURY TOLD HOW VICTIM WAS FOUND.

Scene in Ayres' Room After the Tragedy.

MANY EVIDENCES OF A STRUGGLE

Policeman Brady Combats Theory of Prosecution.

NOT SHOT FROM THE FIRE-ESCAPE

Witness Endeavors to Show Census Clerk Was Killed During a Scuffle—Mrs. Bonine's Brother in Court Today.

The testimony of Policeman Walter S. Brady, who forced the door of room 20, in the Kenmore Hotel, on the morning of May 15 last and discovered the dead body of James Seymour Ayres, as given in Criminal Court No. 1 in the case of the United States vs. Lola Ida Henry Bonine this morning, was at variance with the theory advanced by Assistant District Attorney Taggart in his opening argument. Through direct and cross-examination, the policeman held firmly to his belief that there had been a struggle in the room and that the dead man was shot during a scuffle.

The Revolver Identified.

He identified the revolver found in the room, and insisted that the barrel and chamber were covered with bloody finger prints, showing that someone had grasped the weapon while it was being discharged by another person. The position and attitude of the body and the bruises on the arms and legs he declared gave evidence of a struggle.

This is what the Government claims did not occur, as the theory is advanced that Ayres was shot from the fire-escape.

Reminders of the Tragedy.

Besides the revolver, the Government presented in court and exhibited to the jury today three other gruesome reminders of the tragedy. These were the window sill of the room, showing the bloody finger prints; the green window shade, also bearing the marks of bloody fingers, and the undershirt worn by the dead man when the body was found.

This exhibit caused something of a sensation as it was displayed before the jury, torn, covered with dried blood, and showing the bullet holes and burns. These were all admitted as evidence.

The largest crowd yet on hand was in attendance at the trial today. There were more women than usual among the spectators, and the silence which prevailed showed how deep was the interest taken in the proceedings.

Mrs. Bonine, escorted by Deputy Marshal Springman, arrived early and spent some time in whispered conversation with her husband and sons.

Accused's Brother in Court.

E. S. Henry, the brother of the accused woman, was in court for the first time today. He is a clean-cut man, about thirty years old, and bears no resemblance to his sister. He sat with arms folded throughout the morning, between Mrs. Bonine's two little sons.

The prisoner appeared to have forgotten the terrors of yesterday, and was confident and expectant. She was calm and composed and greeted those about her pleasantly.

She was dressed exactly as on yesterday, but wore a bright blue collar and around her neck. She showed little emotion during the day and remained with hands folded in her lap during the recital of evidence by the witnesses.

Mr. Bonine Improved.

Her husband showed improvement in spirits and health since yesterday. Justice Anderson sat close to the District Attorney and was absorbed in the testimony given by the witnesses. Attorney Gould was brusque in manner and ran over his side of the case in professional manner. Attorneys Douglas, Keane, and Hutton were watchful, and in the cross-examination of witnesses showed that they intended to combat every move of the prosecution.

Policeman Brady Called.

Officer Brady was called by the prosecution and described the finding of Ayres' body. Brady is a large man, and used a small stick to emphasize his statements. He stated that a small boy had called to him while he was in front of the Baltimore and Ohio station on the morning of May 15 last, and told him that he was wanted at the Kenmore.

"I went up there," he continued, "and Mr. Warfield, the proprietor of the hotel, told me that a man had committed suicide upstairs. We went up to room 20, and I forced the door. It was held by one nail and was not locked. The body lay on the floor and was nude save for an undershirt. There were three wounds on the man's body—one on the arm, one on the left hip, and one in the breast. "I bent over the body and saw that the undershirt was burnt in several places. There was blood all around, even on the man's feet."

"As I entered the door I saw first a small chair. Then came a stand with a pitcher, bowl, slop jar, and beside this a radiator. The bed looked as if someone had just gotten out of it and thrown the cover off."

Blood Stains Everywhere.

"There were blood stains all over the floor and window sill. On the trunk near the body lay a shotgun and a revolver."

Norfolk & Washington Steamboat Co.

Delightful trips daily at 6:30 p. m. from foot 7th st. to Old Point Comfort, Norfolk, Virginia Beach, and Newport News. See ad. page 9.

No. 1 Va. Flooring Still \$2 per 100 sq. ft., by Frank Libbey & Co.



The Twelve Men Who Are to Decide the Fate of Mrs. Bonine, Charged With the Murder of James Seymour Ayres, Jr., at the Kenmore Hotel.

"Is this the revolver?" asked Mr. Gould, holding up a pistol. "Yes," was the reply, "but there is no blood on it now." "There was blood all over the barrel here, and all over the handle," explained the witness, indicating what he meant by pointing to certain parts of the weapon. "I opened the revolver and took out three empty shells and three loaded cartridges, of .32 calibre."

Prisoner Examines Revolver. Mrs. Bonine eyed the revolver carefully as the policeman snapped it and twirled it around as he spoke. She showed no other emotion than that of keen interest.

Articles in the Room Located. Officer Brady carefully described the interior of the room, giving the location of the articles of furniture.

The first of the gruesome exhibits to be presented by the Government was the green window shade which hung on the window of Ayres' room. This is a dingy ragged affair with bloodstains across the bottom. Officer Brady identified the shade.

"Did you see any hairpins on the floor of Ayres' room?" suddenly asked Mr. Gould.

"No sir," was the quick reply, "I did not see any."

"When the door of the room is opened, is there room enough for a man to conceal himself behind it?" was asked.

Ayres' Undershirt Shown. "I don't think that there is," was the reply. Mr. Gould then produced the undershirt worn by Ayres on the night of the tragedy. This is a common, half-cotton affair, almost covered with blood stains. There was an intense silence as the policeman and Mr. Gould held up the garment and exhibited it to the jury.

The holes in the garment made by the bullets were shown and the burnt portions of the shirt were pointed out. As the garment was being shown, Attorney Fulton leaned over to Mrs. Bonine and engaged her in conversation until the shirt was removed.

The garment was admitted as a Government exhibit.

Identified Son of Accused. Officer Brady recognized Chesleigh Bonine, the son of the accused woman, as the boy who had told him to go up to the Kenmore Hotel. He was then excused.

Policeman Holton-Wolfe, who accompanied Policeman Brady to the room, was the next witness called. He corroborated all of the statements made by the previous witness. He said that he found no hairpins anywhere in the room.

A recess was taken at 12:25 o'clock.

The Furniture Charged. Officer Wolfe resumed his testimony when the court reconvened at 1:15 o'clock. On cross-examination by Attorney Douglas, for the defense, he stated that the arrangement of the furniture in the room differed in the photographs from the way in which the articles were placed when he first entered.

He said that there were two pillows on the bed, one lying on top of the other. There was but a single indentation in the top pillow.

Gave Wrong Room Number. Policeman B. F. Williams, who accompanied the other policeman to the room, was next called. He is a little man with a huge red moustache, and gave his replies in a snappy way. He began by saying that Ayres was found in "room 20" in the Kenmore. Later he said that it might have been "room 20." He said he took charge of the room after his arrival at the hotel, and retained charge until Coroner Nevitt arrived. He locked the door after making an examination.

The body, the witness said, lay with the feet toward the window and with the head lying across the rocker of the rocking chair.

Blood on the Revolver. The revolver found on the trunk was covered with bloody handprints. Some blood had trickled down the handle. On the window outside there were blood stains which looked to have been made by someone dragging a bloody cloth over the stone ledge. There were spots on the fire-escape.

The Government offered in evidence two photographs of the dead body. These were passed over to Attorney Douglas for inspection. As he studied them Mr. Bonine and Mrs. Macfarland leaned over and closely scrutinized them.

MOVING AGAINST ANARCHY. Negotiations in Progress Between Germany and Russia.

BERLIN, Nov. 22.—The foreign office confirms the report that negotiations are in progress between Germany and Russia for the promulgation of common measures against anarchists.

The other powers are invited to join in the action, but it will probably not be necessary to summon a conference.

Weather Strips, 12 ft., 12 cts. each, felt or rubber edge, 6th and New York ave.

MRS. MACFARLAND'S CONDITION Able to Be Taken to Lakewood, New Jersey, This Morning.

Mrs. Macfarland, wife of Commissioner Macfarland, was this morning sufficiently recovered from her recent serious illness to be taken to Lakewood, N. J. She will remain there during the period of her convalescence. Mrs. Macfarland traveled in a private car over the Baltimore and Ohio. The attending physician, Dr. James A. Freer, a trained nurse, and the Commissioner accompanied the patient.

Mrs. Macfarland has been ill for three weeks with malarial fever, complicated with nervous trouble. For a time the seriousness of her condition gave great anxiety to the members of her family. Her condition since last Monday has continued to improve.

1 ct. per lineal foot Weather Strip, at 6th and New York ave. F. Libbey & Co.

EFFIGY OF AYRES WILL NOT BE USED.

PROSECUTION WITHDRAWS MODEL

Protest From Mrs. Bonine's Counsel and Sentiment Against Paper-Mache Body Leads to Change in Plans.

The sentiment aroused by the story published in The Times yesterday showing the intention of the Government in the case of the United States vs. Lola Ida Henry Bonine to introduce in court a lifelike reproduction of the corpse of James Seymour Ayres has caused a change in the plans of the prosecution.

After a consultation this morning District Attorney Taggart decided to withdraw the paper-mache body, and it will not be produced in court during the trial.

Prisoner's Counsel Protested. This decision was arrived at after a protest had been entered by Attorney Douglas, for the defense, and because of the wave of horror which passed over the city when the ghastly scheme was made public.

It was discovered that any attempt to use a reproduction of a dead body as evidence and to parade it before a refined woman would probably have a boomerang effect on both the jury and the general public, and that such a wave of indignation would in all likelihood be aroused as would make the conviction of the accused an impossibility.

To Use a Live Man. In place of the manikin a live man will be used. Maurice Joyce, the court crier, who resembles Ayres in height and build, will appear striped to the waist, to demonstrate, while the physicians are on the stand, the position and nature of the wounds. He will also show whether or not it would have been possible for the wounds to have been inflicted during a struggle with another person.

Effigy to Be Sent Away. The figure prepared in the interest of the prosecution still occupies a position in the office of the District Attorney beside the trunk found in Ayres' room. It will be sent away quietly and will probably be destroyed.

Mrs. Bonine seemed much relieved when she heard of the change in the plans of the prosecution. The change is heartily endorsed by everybody connected with the defense, and the prosecution seems to realize that they came near making an error.

NO NEED FOR CHANGE OF LAWS. Commissioner Foulke on Civil Service Provisions.

"In my opinion, there is no necessity for Congress to amend the Civil Service law," said Civil Service Commissioner Foulke this morning.

"Of course, the present law is not perfect in all its details, but it is a pretty good law as it stands. It is broad and covers the subject generally. It is enforced, and, as a rule, observed by all officials of the Government."

"There is no occasion for the Commission to engage in a controversy with Congress on the subject of amendment to the law. The President is clothed with full power of extending the operation of the law and the record shows that from time to time since the enactment of the Pendleton act each President has taken occasion to enlarge the merit system by extending the classified service."

Although Commissioner Foulke did not say so, it is known that within a few weeks some important amendments to the civil service rules will be submitted to the President, and if approved several thousand positions will be taken in the classified service.

MRS. DECKER INSANE. Daughter of Rear Admiral Weaver Sent to St. Elizabeth's.

Mrs. Mary I. Decker, daughter of Rear Admiral Aaron W. Weaver, U. S. N., was today committed to the Government Hospital for the Insane by Justice Bradley. Proceedings looking to the determination of the mental condition of Mrs. Decker were instituted on Monday last by her father.

Two physicians were appointed by the court to make an examination of her mental condition and today they testified that she is a fit subject for treatment in an asylum for the insane.

Flynn's Business College, 8th and K. Business, Shortland, Typewriting—\$25 a year.

Dressed Common Boards, \$1.25 per 100 ft., by Frank Libbey & Co.

TAFI'S REPORT RECEIVED.

The Document Placed in Hands of Secretary of War.

The much-delayed report of the Taft Philippine Commission was put into the hands of the Secretary of War today by the Secretary of the Commission, D. R. Williams, who reached this city last night with Charles A. Conant, of Washington.

The latter has been in the islands as special commissioner to arrange a system of coinage and finance for the Philippines, and the result of his investigations is included in a supplementary report to the Commissioners' report.

The report proper consists of 294 typewritten pages, containing upward of 50,000 words. It represents the official views of the new Philippine Commission, which consists of the five American representatives and three prominent Philippine—Tavera, Legarda, and Luna. These native members of the Commission represent the highest civilization and culture in the islands, and their views have proven valuable to the Commission in gaining a greater and more accurate grasp of the complex conditions existing in the archipelago.

Legarda is the best informed man of the trio, as he has not only acquired a thorough grasp of affairs through the highest facilities available in the islands, but has also traveled extensively. In 1900 he made a tour of the United States and paid a visit to Washington. Here he was received by President McKinley, who interrogated him closely regarding the conditions then existing in the islands and the possibilities of restoring peace. Legarda was not one of the rabid Aguinaldo followers and expressed the view that a majority of the Filipinos were tired of the war and anxious to accept the highest facilities available in the islands, but has also traveled extensively. In 1900 he made a tour of the United States and paid a visit to Washington. Here he was received by President McKinley, who interrogated him closely regarding the conditions then existing in the islands and the possibilities of restoring peace. 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